

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JACK SMITH, et al.,)	
)	
Plaintiffs,)	Case No. 1:07-cv-356
)	
v.)	Honorable Robert Holmes Bell
)	
MICHIGAN DEPARTMENT OF)	
CORRECTIONS, et al.,)	<u>JUDGMENT</u>
)	
Defendants.)	
)	

In accordance with the memorandum opinion issued this date:

IT IS ORDERED that plaintiff Smith's objections to the report and recommendation of the magistrate judge (docket # 6) be and hereby are OVERRULED and the report and recommendation of the magistrate judge (docket # 5) is ADOPTED as the opinion of the court.

IT IS FURTHER ORDERED that this action is DISMISSED pursuant to 28 U.S.C. § 1915A(b) and 42 U.S.C. § 1997(e)(c) on grounds of absolute immunity and for failure to state a claim upon which relief can be granted.

IT IS FURTHER ORDERED that plaintiffs' motion for a preliminary injunction and motion to certify plaintiffs as a class (docket #'s 3, 4) be and hereby are DISMISSED as moot.

IT IS FURTHER ORDERED that the court finds no good-faith basis for an appeal of this matter within the meaning of 28 U.S.C. § 1915(a)(3).

IT IS FURTHER ORDERED that dismissal of this action counts as a strike for purposes of 28 U.S.C. § 1915(g).

Date: May 31, 2007

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
CHIEF UNITED STATES DISTRICT JUDGE